

Exhibit D

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF RICHARD A. BEATTY

I, Richard A. Beatty, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge.
2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of the title page of my passport, showing that I was born in New York on June 8, 1957.
3. On September 11, 2001, I was present at the World Trade Center when the terrorist attack occurred. I was employed by the Port Authority of New York and New Jersey as a police officer, where I had worked since 1978. That day I was assigned to a patrol at the George Washington Bridge. Shortly after 9 am, my lieutenant told me by radio to respond at the World Trade Center, and I made it from the GW Bridge to the towers in just 11 minutes. I parked my police car at West and Vesey Streets. The top of the towers were on

fire and people were starting to jump already. I responded to Tower 1, observing that the big glass windows were all smashed and glass was all over the ground. I was almost hit by a falling body.

4. At Tower 1, a sergeant told eight of us officers to go with him to evacuate Tower 2. We were told to take the elevator as high as we could go and evacuate Tower 2 from the top down, but I told the sergeant I did not want to go up the elevator. I was allowed to walk up instead. I made it to the 30th floor, at which time Tower 2 was hit. I saw the explosion out the windows and saw fire in the elevator banks. My police radio stopped working.

5. I decided to clear the floors from the 30th floor down. Some employees were still working on their computers, and wanted to grab their things, so I had to chase some people out. After clearing each floor I locked the doors, so people could get out but not back in. On the 8th floor, I helped other officers carry an overweight man in a chair down the stairs. At the first floor officers rolled him out. Within five minutes, Tower 2 came down on top of us. It sounded like a locomotive, with the floors clicking as they fell down onto the next one below.

6. Everyone in the lobby got into a stairwell as the building fell. The concussion from the collapsing building threw me against the wall, eight feet away. I miraculously survived the collapse of Tower 2 from inside the tower. After the collapse ceased, everything got dark and silent. I was in the stairwell with police officers, firefighters, and civilians. The air was grey with soot but I had an oxygen pack. I gave some oxygen to people who were coughing.

7. The firefighters had to break the stairwell door because it was blocked. We were able to get out of the building and everyone scattered. I went over to regroup in the front of Tower 1, which was still standing. People were still jumping. Then as I was standing there, Tower 1 started to fall. It sounded like a locomotive. Some of the firefighters and police officers in the area, including me, ran into the lobby of the U.S. Customs building, Six World Trade. It was cut in half by the debris of Tower 1 falling. I was hit by debris and buried in the building's rubble for four to five hours. The oxygen pack saved me because it protected my back and neck, though I was buried so long that the oxygen ran out and I had to breathe on my own. My left hand was broken, my left leg was not working right, and my left forearm was burnt. I am not sure if I was knocked out. I was thinking about my kids and what would happen to them if I was killed. I had expected to die from either tower's collapse but it never happened.

8. I dug myself out of the Customs House rubble, coming out onto a big pile of debris. The F.D.N.Y. used ladders to get me down to the ground, since the debris pile was so high. I was lucky to be alive. Most of the people I was with at Ground Zero that morning passed away, including my partner, Bruce Reynolds. The police officers who went up the elevator in Tower 2, after I declined to go up, all passed away because the plane cut the elevator lines.

9. After getting out of the rubble, I told a police lieutenant that I wanted to keep helping at the site, but he said no, look at you, you're injured. I was taken to Cabrini Hospital in Gramercy Park instead. My uniform was burnt and contaminated by asbestos, so it was cut off of me. The staff cleaned up my wounds a little but the doctors needed

permission from Port Authority before doing work on me. I was released to a Port Authority officer, wearing a medical gown. I was driven to the GW Bridge command station, where I was debriefed by my captain and filled out an injury report. A true and correct copy of my Port Authority Employee Injury Supervisors Report from September 11, 2001 is attached as Exhibit B, and a true and correct copy of my Employee's Occupational Disease or Injury Report from September 11, 2001 is attached as Exhibit C. Then I was driven home to my wife.

10. My wife took me to Chilton Hospital in New Jersey, where the doctors took care of me. Attached as Exhibit D is a true and correct copy of an invoice from Chilton Hospital for medical services on 9/11. I was soon given carte blanche to see any doctor because I was injured at Ground Zero. I saw doctors for the burns to my leg and hand, but they could not operate on my broken hand until my burns healed, so I used a removable cast for five months until my hand operation in February 2002. The surgery lasted twelve hours. The surgeon operated on both sides of my hand, creating long scars on both sides, and he rebuilt my whole wrist since my ligaments and tendons has been severed. I have lost 75% use of my hand. A true and correct copy of an April 23, 2002 letter from my hand surgeon is attached as Exhibit E.

11. I was put on long-term disability immediately after 9/11, because I could not work as a police officer. A true and correct copy of a February 5, 2002 Port Authority Medical Absence Determination Request for me is attached as Exhibit F, and a true and correct copy of my April 16, 2002 application for accidental disability is attached as Exhibit G. I retired in 2003 with a pension. Life is still a day-to-day struggle, though moving to

Florida in 2019 helped. Life is a lot easier now because I am not constantly reminded of the World Trade Center. I still come back to New Jersey to get treated for my knee by doctors at North Jersey Orthopedics who are covered by Port Authority workers' compensation. My knee is drained and injected with lubricants. I am close to getting a new knee, I am told, after it was crushed when I was knocked to the ground and hit by debris.

12. You never forget 9/11. I suffered, and continue to suffer, emotional distress and PTSD from my experience at Ground Zero. I lost friends after 9/11 because I did not want to go drinking. I went back to the station house and tried to hang out with the officers, but I was in their way. My wife took care of me while I was at home, not working. Doctors prescribed medicines for my PTSD but a pharmacist suggested that I not take them. I still talk to a psychotherapist once a month for my PTSD. I also have arthritis in my wrist and forearm, which makes it harder to do things. I took medicine for the arthritis for a while, but had to stop because it was hard on my liver.

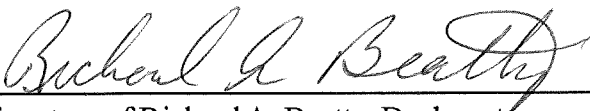
13. I have only been back to Ground Zero once, to look at the reflecting pools. I have not been to the 9/11 Museum, but the battered door of my police car is in the museum with a plaque with my name. Initially they were going to include my whole police car, but they needed more space.

14. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: 1) a severely broken hand, 2) burns to my left arm, and 3) crushing injuries to my left arm and knee. The exhibits to this declaration memorialize those injuries.

15. I previously pursued a claim (Claim Number VCF 212-000565) through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation. I executed a Certificate of Identity on August 4, 2016, and Motley Rice submitted a FOIA request to DOJ seeking the VCF files for me and other Motley Rice clients on June 17, 2019.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 6 day of January 2020.



Signature of Richard A. Beatty, Declarant

Exhibits Filed Under Seal